

REMARKS

Claims 1, 3 and 5-8 are all the claims pending in the present application. Claim 1 has been amended based on, for example, the first paragraph on page 5 and the paragraph bridging pages 5 and 6 of the specification. In addition, claim 1 has been amended to recite that the polyethylene resin film is composed of a mixture. New claim 8 has been added based on, for example, page 5, lines 23-24 of the specification.

Further, the specification at page 22 has been amended. It is submitted that one of ordinary skill in the art would know that the surface of an aluminum wheel of the Cerico vehicle manufactured by Toyota Motor Corp. has a three-dimensional curved surface shape.

Since the Amendment reduces issues for appeal and contains no new matter, entry is respectfully requested.

I. Response to Rejection of Claims 1, 3 and 5-7 under 35 U.S.C. § 112, first paragraph

Claims 1, 3 and 5-7 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time of the application was filed, had possession of the claimed invention.

Applicants respectfully submit that "comprising" of claim 1 is adequately supported by the written description in the specification and comply with the requirements of 35 U.S.C. § 112, first paragraph. *See e.g.*, page 7, third full paragraph. Nonetheless, claim 1 has been amended by changing "comprising" to "composed of".

Accordingly, withdrawal of the rejection is respectfully requested.

II. Response to Rejection of Claims 1, 5 and 7 under 35 U.S.C. § 102(a)

Claims 1, 5 and 7 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated

by Ukei et al. (US 2005/0058829).

Applicants respectfully traverse the rejection.

Claim 1 is directed to a motor vehicle brake disc antirust film comprising a surface substrate film having a tensile modulus of elasticity of 240 to 1500 MPa and a pressure-sensitive adhesive layer on one surface of the surface substrate film, wherein the pressure-sensitive adhesive layer has a thickness of 1 to 300 μm and the surface substrate film has a thickness of 20 to 200 μm and the surface substrate film is a polyethylene resin film composed of a mixture of a low density polyethylene resin having a density of 0.923 to 0.933 g/cm^3 and a high density polyethylene resin having a density of 0.950 to 0.959 g/cm^3 in a ratio of 50 to 90 parts by mass of the low density polyethylene resin relative to 100 parts by mass of the mixture.

It is respectfully submitted that Ukei does not anticipate claim 1 since it does not teach each and every element of claim 1.

Ukei does not disclose the claimed tensile modulus of elasticity of the plastic film.

In addition, Ukei fails to disclose the use of a polyethylene resin film composed of a mixture of a low density polyethylene resin having a density of 0.923 to 0.933 g/cm^3 and a high density polyethylene resin having a density of 0.950 to 0.959 g/cm^3 , as recited in claim 1.

In the Examples and Comparative Examples, Ukei discloses the use of LDPE-1 having a density of 0.919 g/cm^3 , LDPE-2 having a density of 0.919 g/cm^3 , LDPE-3 having a density of 0.926 g/cm^3 , and LDPE-4 having a density of 0.922 g/cm^3 . In addition, Ukei discloses the use of HDPE-1 having a density of 0.964 g/cm^3 and HDPE-2 having a density of 0.956 g/cm^3 . However, in the Examples and Comparative Examples of Ukei, a combination of LDPE-3 (density 0.926 g/cm^3) and HDPE-2 (density 0.956 g/cm^3) are not used. Therefore, a mixture of a low density polyethylene resin having a density of 0.923 to 0.933 g/cm^3 and a high density

polyethylene resin having a density of 0.950 to 0.959 g/cm³ is not disclosed by Ukei.

Further, it is submitted that the claimed ratio of low density polyethylene resin and high density polyethylene resin is not taught by Ukei.

Hence, for at least the foregoing reasons, it is submitted that Ukei does not anticipate claim 1.

Moreover, it is submitted that the claimed invention is not obvious and that one of ordinary skill in the art would not arrive at the claimed invention based on the disclosure of Ukei. For example, Comparative Example 3 of Ukei discloses a mixture of 70% by weight of LDPE-4 (density 0.922 g/cm³) and 30% by weight of HDPE-2 (density 0.956 g/cm³) and Comparative Example 5 discloses a mixture of 70 % by weight of LDPE-3 (density 0.926 g/cm³) and 30% by weight of HDPE-1 (density 0.964 g/cm³).

Paragraph [0039] of Ukei states that:

In such a mixed resin, a ratio of the high-density polyethylene to the low-density polyethylene can be, for example, chosen within the range of from 10/90 to 90/10 (preferably 20/80 to 50/50) in terms of a weight ratio of high-density polyethylene to low-density polyethylene. Incidentally, as the high-density polyethylene are preferable ones having a density of from 0.940 g/cm³ to 0.970 g/cm³, and are especially preferable ones having a density of from 0.950 g/cm³ to 0.965 g/cm³. On the other hand, as the low-density polyethylene are preferable ones having a density of from 0.880 g/cm³ to 0.930 g/cm³, and are especially preferable ones having a density of from 0.910 g/cm³ to 0.929 g/cm³.

The LDPE-4 (density 0.922 g/cm³) of Comparative Example 3 is in the preferable range of a density of from 0.910 g/cm³ to 0.929 g/cm³ in paragraph [0039] and HDPE-2 (density 0.956 g/cm³) is also in the preferable range of a density of from 0.950 g/cm³ to 0.965 g/cm³ in paragraph [0039]. In addition, LDPE-3 (density 0.926 g/cm³) of Comparative Example 5 is in the preferable range of a density of from 0.910 g/cm³ to 0.929 g/cm³ in the paragraph [0039] and HDPE-1 (density 0.964 g/cm³) is also in the preferable range of a density of from 0.950 g/cm³ to 0.95 g/cm³ in the paragraph [0039]. However, these Comparative Examples do not

exert the effects desired by Ukei and exhibit poor characteristics/properties. *See* Table 4. Accordingly, one of ordinary skill in the art reading paragraph [0039] and the Comparative Examples of the Ukei would easily recognize and understand that the disclosure of paragraph [0039] is inconsistent with the results obtained for Comparative Examples 3 and 5.

In fact, in Ukei, only the specific combination of LDPE-1 (density 0.919 g/cm³) and HDPE-1 (density 0.964 g/cm³) in Examples 1 to 3 and the specific combination of LDPE-2 (density 0.919 g/cm³) and HDPE-1 (density 0.964 g/cm³) in Example 4 exhibits the desired properties of Ukei. That is, only Examples using a combination of a mixture of a low-density polyethylene having a density of 0.919 g/cm³ and a high-density polyethylene having a density of 0.964 g/cm³, exhibited the desired effects of Ukei.

Therefore, it is submitted that one of ordinary skill in the art would not have arrived at the claimed invention based on the disclosure of Ukei, particularly paragraph [0039] and the Examples/Comparative Examples.

In contrast, the claimed antirust film is not peeled off when a motor vehicle is being transported on a carrier car or when a completed motor vehicle is being subjected to a running, and the staining of the adherend is not caused when the antirust film is peeled off from the adherend, as shown in Examples of the present specification. Ukei does not disclose, teach or suggest the effects of the claimed invention.

For at least the foregoing reasons, it is submitted that claim 1 is patentable over Ukei.

In addition, claims 5 and 7 depend from claim 1, and thus it is submitted that these claims are patentable for at least the same reasons as claim 1.

Accordingly, withdrawal of the rejection is respectfully requested.

III. Response to Rejection of Claim 3 under 35 U.S.C. § 103(a)

Claim 3 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ukei

in view of Endo et al. (US 6,872,447).

Applicants respectfully traverse the rejection. Claim 3 depends from claim 1, and thus it is submitted that claim 3 is patentable for at least the same reasons as claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

IV. Response to Rejection of Claim 6 under 35 U.S.C. § 103(a)

Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ukei in view of Watanabe et al. (US 5,795,650).

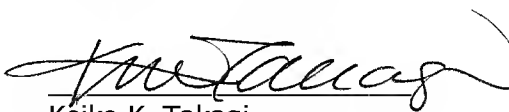
Applicants respectfully traverse the rejection. Claim 6 depends from claim 1, and thus it is submitted that claim 6 is patentable for at least the same reasons as claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

V. Conclusion

In view of the above, reconsideration and allowance of claims 1, 3, and 5-8 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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